



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, NOVEMBER 03, 2010  
5:30 P.M.**

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**CALL TO ORDER 5:30 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

- Employee of the Quarter recognition
- Acknowledgment of CPM Academy's Henning Award

**I. CALL TO THE PUBLIC**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

**NO LEGAL  
ACTION  
PERMITTED**

## II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

### A. Approval of minutes of the following City Council meeting(s):

**APPROVED** 1. Regular City Council Meeting September 29, 2010

### B. Approval of Staff Recommendations:

#### Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

**APPROVED** 2. **Liquor License: EZ Shop Market**

Approve an Interim Permit/Person Transfer (Liquor Store) #9 Liquor License Application submitted by Evan Jurjis Abdulahad, agent for Jurjis Inc. dba EZ Shop Market, 1334 South 4th Avenue, Yuma, Arizona. (LL10-18) (City Administration/ City Clerk) (Lynda Bushong)

**APPROVED** 3. **Contract Ratification: Avenue 6E Sanitary Sewer Interceptor Extension**

Ratify and approve a contract increase in the amount of \$67,567.20, to Purchase Order No. 100691, with Yuma Valley Contractors Corp. (City Engineering Department - Bid #2010000370) (Paul Brooberg)

**APPROVED** 4. **Development Fee Deferral Extension: Various Locations/Subdivisions**

Approve a one-year extension of the described Development Agreements deferring Citywide Development Fees and/or water and sanitary sewer capacity fees. (City Engineering/Administration) (Paul Brooberg)

**APPROVED 5. Final Plat: Waked Subdivision**

Approve the Final Plat of the Waked Subdivision, subject to conditions 1 through 9. The property is located approximately 180 feet west of the southwest corner of 25th Street and 18th Avenue. The applicant is Dahl, Robins & Associates, on behalf of Noman and Susan Waked Trust. (S2010-001-01) (Community Development/ Community Planning) (Laurie Lineberry)

**APPROVED 6. Settlement Of All Claims: Doe I/Doe II/Doe III**

Authorize a settlement in the Doe I and Doe II lawsuit, and the Doe III pre-lawsuit claim. (City Attorney) (Steven W. Moore)

**APPROVED 7. Settlement of Claims: Angulo, Pulido and Aispuro**

Authorize a settlement in the Angulo, Pulido and Aispuro lawsuits. (City Attorney) (Steven W. Moore)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ VV/\_\_\_\_\_

**III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Resolution R2010-59 Amended And Restated Development Agreement: Palms RV Resort Development, Inc.**

Approve an Amended and Restated Development Agreement with Palms RV Resort Development, Inc., an Arizona corporation, deferring Citywide Development Fees, permitting permanent signage, and establishing uniform setbacks. (Community Development) (Laurie Lineberry)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

#### **IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Ordinance O2010-52 Conveyance of Easement: Arizona Public Service Company**

Authorize the conveyance of an easement to Arizona Public Service Company for a powerline to a City of Yuma sanitary sewer lift station. (City Engineering/Administration) (Paul Brooberg)

**ADOPTED B. Ordinance O2010-53 Right-of-Way Acquisition: Avenue 3E**

Authorize the acquisition of right-of-way from the State of Arizona for Avenue 3E street construction between Gila Ridge Road and 24th Street Extension. (City Engineering/Administration) (Paul Brooberg)

**ADOPTED C. Ordinance O2010-54 Declaration of Surplus Property**

Declare vacant real property at the northeastern corner of the intersection of Palmcroft Drive and Avenue A surplus and authorize a Request for Proposals (RFP) for disposition of the property. (City Engineering/Administration) (Paul Brooberg)

**ADOPTED D. Ordinance O2010-55 Scrivener's Error Correction: Ordinance No. O2010-22**

Authorize the correction of scrivener's errors in Ordinance No. O2010-22. (City Engineering/Administration) (Paul Brooberg)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

**M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_**

## **V. INTRODUCTION OF ORDINANCES**

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

**INTRODUCED A. Ordinance O2010-56 Zoning Code Text Amendment: Design and Historic Review Commission Member Term Length**

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Section 02.04 B to change the term length of the Design and Historic Review Commission members from three years to five years. (Z2010-010) (Community Development/Community Planning) (Laurie Lineberry)

**INTRODUCED B. Ordinance O2010-57 Zoning Code Text Amendment: Landscape Review Board**

Approve the Zoning Code Text Amendment to amend Title 15, Chapter 154, Sections 02 and 20, to remove the text that requires the Landscape Review Board. The applicant is the City of Yuma. (Z2010-011) (Community Development/ Community Planning) (Laurie L. Lineberry)

**INTRODUCED C. Ordinance O2010-58 Property Acquisition: 8th Street at 14th Avenue**

Authorize the acquisition of property for a traffic signal installation located at 8th Street and 14th Avenue (City Engineering/Administration) (Paul Brooberg)

**INTRODUCED D. Ordinance O2010-59 Right-of-Way Acquisition: 32nd Street**

Authorize the acquisition of right-of-way for 32nd Street improvements at Avenue B. (City Engineering/Administration) (Paul Brooberg)

**INTRODUCED E. Ordinance O2010-60 Declare Surplus and Authorize Sale of Real Property**

Declare as surplus and authorize the sale of a real property remnant at 3198 South Avenue B. (City Engineering/Administration) (Paul Brooberg)

## **VI. PUBLIC HEARINGS & RELATED ACTIONS**

There are no public hearings scheduled at this time.

## **VII. SUMMARY OF PAST YEAR MEETINGS AND EVENTS**

**REPORTED** Councilmember Stuart will report on meetings/events that he participated in throughout the past year.

## **VIII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Appointment to boards, commissions, committees and offices:

**APPOINTMENT  
MADE**

- Design and Historic Review Commission – one unexpired term to expire on June 30, 2012.

2. Announcements:

**REPORTED**

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of October 21, 2010 through November 3, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

## **IX. SUMMARY OF CURRENT EVENTS**

### **REPORTED**

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

## **X. EXECUTIVE SESSION**

### **EXECUTIVE SESSION NOT HELD**

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

## **ADJOURNMENT 6:02 p.m.**

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.